

UTILITY DECLARATION APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS AND COMPOUNDS FOR TREATING MALABSORPTION DISEASES AND INFLAMMATORY CONDITIONS OF THE GASTROINTESTINAL TRACT, the specification of which is filed concurrently herewith.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code § 119(e) of the following United States application(s) listed below.

| Application Number(s) | Filing Date |
|-----------------------|------------------|
| 60/445,542 | February 6, 2003 |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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|------------------------------------|-------------------------------|---------------------------------------|---|--------------------------|
| FULL NAME OF INVENTOR | FIRST Name James | MIDDLE Initial M. | LAST Name Lipton | |
| RESIDENCE & CITIZENSHIP | City Woodland Hills | State or Foreign Country CA | Country of Citizenship U.S.A. | |
| POST OFFICE ADDRESS | 5800 Owensmouth Ave., #10 | City Woodland Hills | State or Country CA | Zip Code 91367 |
| INVENTOR'S SIGNATURE | | DATE <u>2-3-04</u> | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **JAMES M. LIPTON**
APPLICATION No.:
FILED: **CONCURRENTLY HEREWITH**
FOR: **METHODS AND COMPOUNDS FOR TREATING
MALABSORPTION DISEASES AND
INFLAMMATORY CONDITIONS OF THE
GASTROINTESTINAL TRACT**

EXAMINER:
ART UNIT:
CONF. NO:

Power of Attorney by Assignee and Certification
Under 37 C.F.R. § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, the undersigned, acting on behalf of the Assignee of the entire right, title and interest in the above-identified patent application, by virtue of an Assignment filed concurrently herewith, appoint the attorneys and agents listed below to prosecute this application and transact all business with the U.S. Patent and Trademark Office in connection therewith. This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 C.F.R. § 3.71.

All prior powers of attorney for this application are hereby revoked. The Assignee hereby appoints

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In accordance with 37 C.F.R. § 3.73(b), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee, as evidenced by the Assignment noted above.

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Title 18, USC § 1001 and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

ASSIGNEE: Zengen, Inc.

Signature: James Lipton

Printed Name: James Lipton, Ph.D.

Title: CHIEF SCIENTIFIC OFFICER

Date: February 3, 2007

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